

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FABIAN SANTIAGO,

Plaintiff,

V.

SGT. CHILDERS, et al.,

Defendant.

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Civil No. **05-512-MJR-CJP**

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff Santiago's motion to compel David M. Hardy of the F.B.I., and Michael P. Randle, Director of the Illinois Department of Corrections, to comply with subpoenas for the production of documents, served on or about August 19, 2009. (**Doc. 195**).

The defendants note that the subpoenas were served after the June 30, 2009, discovery cutoff. (**Doc. 197; see also Doc. 160**). In reply, plaintiff asserts that the discovery deadline is only applicable to discovery requests issued to the defendants themselves, not to non-parties, such as Hardy and Randle. Plaintiff also contends that he needs the requested documentation in order to learn witness names and other information necessary for inclusion in the final pretrial order. (**Doc. 199**).

The discovery cutoff pertains to all discovery, not merely to discovery requests aimed at the parties. Discovery has been ongoing since October 2006, which is more than enough time for plaintiff to have prepared his case for trial.

IT IS THEREFORE ORDERED that the subject motion (**Doc. 195**) is **DENIED**.

DATED: December 3, 2009

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE